

*Patent Application Serial No. 10/542,005  
Reply to Office Action dated June 6, 2008*

### **REMARKS**

The claims are formally amended to remove means-plus-function language. In response to the outstanding Action:

(1-6) The Examiner is thanked for withdrawal of objections and stating the status of the case.

(7-8) Claims 7 and 13-17 are rejected under § 101. This rejection is respectfully traversed, and reconsideration is requested.

Claim 1 recites "A data-storage medium containing a data structure" and claim 7, for example, recites "A data structure *according to claim 1*, comprising file storing menu display control data" (emphasis added). Because of claim 7's dependence, the data structure of claim 1 includes the file storing menu display control data, and therefore the file storing menu display control data is also on the data-storage medium, which the Examiner admits is patentable. It is noted that the other dependent claims have the same preamble as the rejected claims.

(9-10) Claims 1-4, 6-15, and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by Yamaguchi et al., US 6,795,097. This rejection is respectfully traversed, and the Applicant argues below for claim 8. The Examiner has rejected claim 8 for the same reasons as claim 1.

Yamaguchi discloses a SIMPLE MENU and a DETAILED MENU in Fig. 33. That figure shows that the simple menu is duplicated farther down the tree of the detailed menu, where it is listed under "capture mode." That is, once in capture mode the user has the same options as in the simple menu: these options are RETURN, STILL, LONG VIDEO, and VIDEO MAIL. The Examiner correctly notes (page 14, line 8) that these belong to both menus.

Yamaguchi discloses at col. 20, lines 18-27, that either the simple menu or the detailed menu are displayed depending on whether the shift key is depressed, and the position of the jog-

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dial chosen by the user. The Examiner notes this in the second full paragraph on page 14. However, the Examiner equates the shift key to the claimed "dependency relationship." With respect, this is not correct because the ability to navigate a tree menu does not imply that any items in the tree have any relationship, whether of dependency or any other kind. All it implies is that the user can reach desired items, by the arbitrary actions of the user.

Yamaguchi does not disclose anything which, *when a desired small item is selected, specifies a plurality of small items dependent on said desired small item* (where "dependent" relates to the claimed *dependency relationship information*). This is true because, if the user selects, say, STILL, there is no plurality of other items that have some special relationship with STILL (e.g., dependency relationship). When the user selects STILL, nothing jumps up in front of the user, nothing is displayed, nothing is activated; nothing is "specified." Neither LONG VIDEO, nor RETURN, nor VIDEO MAIL is specified, from either menu.

Furthermore, no plurality of other items is specified.

The Examiner mentions Yamaguchi's duplication status flag D100e and asserts that it anticipates the claims, citing col. 17, lines 46-50, which refers to "two kinds of menu item data D100f." With respect, the Examiner has established no connection between this flag and the simple and detailed menus, or items therein. The Applicant has reviewed the reference and sees no anticipation by this flag D100e.

Thus, Yamaguchi fails to teach or suggest the display means recited in claim 8.

The Applicant advances the art of displaying different menus by handling a plurality of display control data through a common procedure, e.g., a single program. To reach this object, the Applicant's display includes a specifier that specifies a plurality of small items being dependent on a desired small item based on the dependency relationship information when the desired small item is selected. As noted above, no specifier is even suggested by Yamaguchi.

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Yamaguchi relates to the art of displaying in a PC window, which displays a predetermined set of menu items for single program processing. Yamaguchi does not disclose a menu display apparatus capable of coping with a variety of menu displays by means of the same program.


Independent claim 1, and the dependent claims, are patentable for the reasons above.

(11-12) Dependent claims 5 and 16 are rejected under 35 U.S.C. §103(a) as being obvious over Yamaguchi in view of Hostettler US 2003/0192030. This rejection is respectfully traversed on the basis of dependence from an allowable claim.

In view of the aforementioned amendments and accompanying remarks, the application is submitted to be in condition for allowance, which action, at an early date, is requested.

Respectfully submitted,

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